

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JONATHAN HARRIS,

Plaintiff,

-against-

CITY OF NEW YORK; Detective BRIAN TAYLOR, Shield No. 4438; Police Officer NEIL MAGLIANO, Shield No. 2766; Police Officer SEAN NOCE, Shield No. 31328; Detective JUSTIN PARRIS, Shield No. 22965; Sergeant WESLEY FRADERA, Shield No. 4246,

PLAINTIFF'S
PROPOSED VOIR
DIRE QUESTIONS

15 CV 8456 (CM)

Defendants.

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Pursuant to the Court's Individual Practices, plaintiff Jonathan Harris respectfully submits the following list of proposed questions for prospective jurors.

Dated: August 30, 2017
New York, New York

HARVIS & FETT LLP

/s/
Gabriel P. Harvis
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New York, New York 10007
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Attorneys for plaintiff

1. Please tell us about your work experience, beginning with who you work for now and what your job is.
2. Where are the other members of your immediate family or household employed?
3. How many years of formal education do you have?
4. Were you ever in the military?
 - (a) What ranks did you hold?
 - (b) What duties did you hold?
 - (c) Were you ever in the military police?
5. Have you ever served on a jury before? Was it criminal or civil? Did you reach a verdict?
6. Have you, your family, or any member of your household or close friend ever been a party to a lawsuit? If so, please explain.
7. Do you know anyone currently or previously employed by Harvis & Fett LLP or the New York City Law Department?
8. Do you know Gabriel Harvis or Paul Johnson?
9. Do you have any opinions concerning the NYPD?
 - (a) What are they?
10. Have you or any member of your family, household or a close friend ever been the victim of a crime?
 - (a) What was the nature of the crime?
 - (b) Was the perpetrator punished?

(c) What was the result?

(d) Were you satisfied with the results?

(e) Would the fact that you were a victim of a crime make it difficult for you to sit in a case like this?

11. Have you or has any member of your immediate family, household ever held any job in (a) a law enforcement agency, (b) any government agency, (c) the state or local police, (d) the FBI, (e) any prosecutor's office, (f) probation or parole agency or (g) a private detective or security guard agency?

12. Have any of your neighbors, friends or relatives ever held a job in (a) a law enforcement agency, (b) any government agency, (c) the state or local police, (d) the FBI, (e) any prosecutor's office, (f) probation or parole agency or (g) a private detective or security guard agency?

13. Does your job cause you to work with any law enforcement officer or agency?

14. If a civilian and a police officer give conflicting testimony about the same incident, would you be inclined to believe the police officer over the civilian. If so why?

15. This is a case in which a man has sued New York City police officers alleging civil rights violations. Would you have any difficulty being completely fair and impartial in such a case? If so, please explain in the absence of the other members of the panel.

16. Would you have any difficulty returning a verdict in favor of a person who could prove (a) he was wrongfully stopped and searched or (b) he was falsely arrested by a police officer or (c) he was denied the right to a fair trial or (d) that officers failed to intervene in the alleged violation of his rights by a police officer?

17. Would you have any difficulty returning a verdict in favor of a person who could prove that his injuries resulted from the failures of a supervisor?

18. Would you have any difficulty returning a verdict in favor of a person who could prove his constitutional deprivation resulted from the customs, policies or practices of a municipality?
19. Do you believe that lawsuits are not the proper way for someone to seek compensation for an injury they believe was caused by someone else?
20. Do you believe that you could not, for whatever reason, place a dollar value on Mr. Harris's injuries, including injuries for mental suffering, lost liberty and lost reputation even if the evidence and the law supports that he be compensated for those items?
21. Would you have any trouble awarding damages not just to compensate a person for injuries, but to punish a police officer who abused his authority?
22. Do you have a maximum sum of money that you would never exceed in an award to Mr. Harris even if the evidence and the law to be applied support a larger amount of money?
23. Have you or a member of your family or household, or a close friend, ever been stopped by the police? What were the circumstances?
24. Have you or a member of your family or household, or a close friend, ever been stopped by the police when you felt you did nothing wrong? What were the circumstances?
25. Have you or a member of your family or household, or a close friend, ever been arrested? What were the circumstances?
26. Have you ever given testimony at a trial or other court proceeding?